

# THE CITY OF NORFOLK



To the Honorable Council  
City of Norfolk, Virginia

February 22, 2022

**From:** George M. Homewood  
Director of Planning

**Subject:** Conditional Use Permit - Richmond  
Wholesale Deals, LLC

**Reviewed:**

**Ward/Superward:** 5/6

Patrick Roberts, Deputy City  
Manager

**Approved:**

Dr. Larry H. Filer II, City Manager

**Item Number:** R-1

- I. **Planning Commission Recommendation:** By a vote of **6 to 1**, the Planning Commission recommends **Approval**. The dissenting vote was due to concerns about replacing affordable housing for Short-Term Rentals.
- II. **Request:** Conditional Use Permit to allow the existing apartment complex to operate as Short-Term Rental Units (Vacation Rentals).
- III. **Applicant:** **Richmond Wholesale Deals, LLC**
- IV. **Description:**
  - The property is a six-unit apartment on a 7,500 square foot lot.
  - Under R-C zoning, apartment buildings with four or more dwelling units are required to obtain a Conditional Use Permit (CUP) to operate as Short-Term Rentals.
  - All six apartments are two-bedroom units.
  - With a total of 12 bedrooms, the maximum number of overnight guests that would be allowed is 24, or two to a bedroom.

Number of apartments	6
Number of bedrooms	12
Max overnight guests (max 2 per bedroom)	24

- While there is an emerging pattern of new single-family homes being built, there is no indication that these smaller multi-family structures are being redeveloped into single-family homes.
- The use of this property as a STR will not result in a change in the developed form (multi-family) for this property and will be in line with the predominant development pattern.
- At the December 16th public hearing, the applicant agreed to continue the item for a month to allow further discussion with an adjacent neighbor who had concerns.
  - On January 7th a virtual meeting was held with the applicant and neighbor. The applicant's business model was discussed, and the meeting ended amicably.

**V. Historic Resources Impacts:**

The site is not located within a federal, state, or local historic district.

**VI. Public Schools Impacts:**

N/A

*Staff contact: Joy Kelling at (757) 664-4756, [joy.kirch-kelling@norfolk.gov](mailto:joy.kirch-kelling@norfolk.gov)*

**Attachments:**

- Proponents and Opponents
- Staff Report to CPC dated January 27, 2022 with attachments
- Ordinance

**Proponents and Opponents****Proponents**

Juri Miller  
3429 West Cary Street (applicant)  
Richmond VA, 23221

Carrie Copenhaver (authorized agent)  
603 16th Street  
Virginia Beach, VA 23451

**Opponent**

(None)

**Supporting Material:**

- Ordinance Exhibit A (PDF)
- Conditional Use Permit Review Standards (PDF)
- Overview Map(PDF)
- Location Map (PDF)
- Zoning Map (PDF)
- STR Map (PDF)
- Application (PDF)
- Property Owners\_300ft (PDF)
- Email to East Ocean View Civic League (PDF)
- Ltr of concern frm Mr. Babcock (PDF)



## City Planning Commission Public Hearing: January 27, 2022

Executive Secretary: George M. Homewood, FAICP, CFM

A handwritten signature in black ink, appearing to be "G. Homewood".

Staff Planner: Joy Kirch-Kelling

A handwritten signature in black ink, appearing to be "Joy Kirch-Kelling".

Staff Report		Item No. 2	
Address		9608 15th Bay Street	
Applicant		Richmond Wholesale Deals, LLC	
Request		Conditional Use Permit	Short-Term Rental (Vacation Rental)
Zoning		R-C (Residential Coastal), CRO (Coastal Resilience Overlay)	
Neighborhood		Bayview	
Surrounding Area	North	R-C: Single-family homes	
	East	R-C: Single-family homes	
	South	R-C: Multi-family and single-family homes	
	West	R-C: Single-family homes	
Staff Recommendation		Approval subject to conditions	





## A. Executive Summary

- The site is located on the east side of 15th Bay Street, between E. Ocean View Avenue and Pleasant Avenue in the East Ocean View neighborhood.
- The request is for a Conditional Use Permit that would allow all six units in this existing multi-family building to operate as Short-Term Rentals (STRs).
- Given that this application does not conflict with the objectives of *plaNorfolk2030* or the R-C zoning district and is subject to the two-year term of approval, staff recommends **approval subject to conditions**.
- At the December 16th public hearing, the applicant agreed to continue the item for a month to allow further discussion with an adjacent neighbor who had concerns.
  - i. On January 7th a virtual meeting was held with the applicant and neighbor. A discussion of the applicant's business model was discussed, and the meeting ended amicably.

## B. Plan Consistency

- The site lies in the Coastal Character District, which is described by *plaNorfolk2030* as an eclectic mix of housing types interspersed with neighborhood-scale commercial uses. Short-Term Rentals do not conflict with this description.
- The request does not conflict with the objectives of *Vision 2100* which places this site within the flood prone "Yellow Area" and recommends supporting proposals that will reduce density or allow property owners to recoup economic value that

could be lost due to rising waters. Short-Term Rentals do not increase neighborhood density and are one way to recoup value.

### C. Zoning Analysis

#### i. General

- The property is a six-unit apartment building on a 7,500 square foot lot.
- Based on information provided by the applicant, the apartments are currently leased at below market rate rents. The applicant intends to purchase this building, renovate the units and convert them to STRs.
- Under R-C zoning, apartment buildings with four or more dwelling units are required to obtain a Conditional Use Permit (CUP) to operate as Short-Term Rentals.
- All six apartments are two-bedroom units.
- With a total of 12 bedrooms, the maximum number of overnight guests that would be allowed is 24, or two to a bedroom.

Number of apartments	6
Number of bedrooms	12
Max overnight guests (max 2 per bedroom)	24

#### ii. Impact to Neighborhood

- Trash, noise, and parking are the most frequent complaints staff receives regarding STRs. To address these issues, the following are standard CUP conditions:
  - *Trash*: The property owner will be required to hire a private waste removal service to remove trash generated by guests during short-term rental stays promptly and never more than 36 hours after the last guest has checked out. All trash containers will be concealed from public view when stored.
  - *Parking*: Six parking spaces are required and seven are provided on site.
  - *Noise*: Interior decibel meters shall be installed in the common areas of each unit.
  - *Security*: A exterior security camera shall be installed facing the parking area.
  - *Management*: The property owner will be immediately available to address any issues occurring on the site. The operator must conspicuously post a sign on the interior of each rental unit and the exterior of the property informing guests and neighbors of the name and phone number of an emergency contact person as well as the phone number of the City's 24-hour call center.
- All STRs carry an expiration of two years. If approved, the applicant will need to reapply to continue to operate as a STR.

#### iii. Lotting Analysis

- East Ocean View is a revitalizing neighborhood, and it is important to ensure that the renovation of existing apartment buildings does not impede this revitalization. An

analysis of 46 properties was conducted to determine the predominant housing pattern for the neighborhood and history of nearby development.

- Out of the 46, 25 (54%) were found to be single-family homes, of which 16 were built after 2000. The remaining 21 properties were duplexes, multi-family housing, commercial or vacant.

Block	Vacant	Single-Family	Duplex	Multi-family	Commercial
9600 15th Bay St	5	10	4	3	3
Block Face to the west	0	6	1	2	1
Block Face to the East	0	9	0	1	1

- While there is an emerging pattern of new single-family homes being built, there is no indication that these smaller multi-family structures are being redeveloped into single-family homes.
  - The use of this property as a STR will not result in a change in the developed form (multi-family) for this property and will be in line with the predominant development pattern.
- There are approximately 40 legally operating STRs within a one-mile radius of 2450 E. Ocean View. Three of these properties obtained conditional use permits, the remainder registered by-right.
  - Based on information provided by the applicant, the apartments are currently leased at below market rate rents. The applicant intends to purchase this building, renovate the units and convert them to STRs.

#### iv. Performance Standards

**Short-Term Rental Unit, Vacation Rental** – The provision of a dwelling unit, or any portion thereof, for rent to a guest for a minimum of one night but fewer than 30 consecutive nights when in the Coastal Character District and all owners of the property have their primary residence elsewhere.

- A Conditional Use Permit is required when the use:
  - Is not registered in accordance with Section 4.2.3.F(10)(e).
  - Is located in an R-C district and is in a single-family dwelling containing four or more bedrooms.
- No rental activity may commence unless the operator has obtained a Zoning Certificate (see *Zoning Ordinance* Section 2.4.14) and a business license.
- The use shall only be conducted in spaces constructed in compliance with the Virginia Uniform Statewide Building Code requirements for residential occupancy in place at the time of construction.
- The maximum term of any zoning certificate issued for the use shall be two years unless a shorter period is established as part of the Conditional Use Permit process.

- The maximum guest occupancy is two (2) persons to a bedroom; a total of no more than twenty-four (24) guests staying in no more than six (6) bedrooms at any one time.
- The operator of the vacation rental remains liable for all taxes that may be owed.
- Every STR unit (vacation rental) shall be made available to guests exclusively through one or more online booking platforms that provide, at minimum, listing services throughout all of the United States. If the operator elects to list the property on more than one such platform, then the listing on each platform shall be identical with respect to the type of short-term rental being offered, the number of rooms available, the number of guests that may be hosted, and the areas of the property available to guests.
- The operator shall conspicuously post a sign on the interior of each rental unit and the exterior of the property informing guests and neighbors of the name and phone number of an emergency contact person as well as the phone number of the City's 24-hour call center.

v. Development Standards

a) Parking:

- Short-Term Rentals in the Coastal Character District are required to provide one off-street parking space for each unit with three or less bedrooms.
  - This site has six two-bedroom apartments; Six spaces are required and seven are provided.

b) Site Improvements:

The applicant will be required to make the following improvements to the site:

- A landscaped buffer yard shall be installed along the 16th Bay Street right-of-way as shown on the conceptual site plan.
- The drive apron shall be replaced to reduce ponding.
- The trash receptacles shall be shielded from public view with a four-foot-high opaque enclosure.

c) Tree Canopy:

With current trees and recommend improvements, this site will have a tree canopy coverage of approximately 20% which complies with the new Tree Canopy requirements of the *Zoning Ordinance*.

vi. Flood Zone

The site is located in the AE (High Risk) flood zone. All mechanical and electrical equipment shall be located at least 16" above the highest adjacent grade.

**D. Mobility Analysis**

- The property lies within one quarter mile of an HRT transit line on East Ocean View Avenue.

#### **E. Historic Resources Impacts**

The site is not located within a federal, state, or local historic district.

#### **F. Public Schools Impacts**

N/A

#### **G. Payment of Taxes**

The owner of the property is current on all taxes.

#### **H. Civic League**

- The applicant hosted their own neighborhood meeting on October 15.
  - Two neighbors attended, and the meeting minutes record that one was in support, the other was not.
- An email of support was received from the Ocean View Business Association on October 24.

#### **I. Communication Outreach/Notification**

- Legal notice was posted on the property on November 18.
- Letters were mailed to all property owners within 300 feet of the property on December 1.
- Legal notification was placed in The Virginian-Pilot on December 2 and 9.

#### **J. Recommendation**

The proposed use complies with the standards required by the *Zoning Ordinance* and does not conflict with *plaNorfolk2030*. Staff recommends **approval** subject to the conditions listed below:

- (a) The operation of the principal use of Short-Term Rental Unit (Vacation Rental) must be conducted in accordance with the applicable performance standards that are set forth in section 4.2 of the Norfolk Zoning Ordinance.
- (b) No use of the property as a Short-Term Rental Unit (Vacation Rental) shall be permitted until a business license has been issued for the property. No business license shall be issued until all of the following information and documentation has been provided to the City for the subject property and the physical improvements required have been made:
  - (1) The name and phone number of a person to be contacted at any time to address emergencies or complaints about activity at each unit.
  - (2) Proof that a fire inspection of the property has been completed and any recommended safety improvements or restrictions have been implemented for all units.

- (3) Inspection of the property by the City in order to verify any aspect of the application for this Conditional Use Permit.
  - (4) Proof of liability insurance covering accidental injury to a guest on the property up to a maximum cost not less than \$300,000.
  - (5) A copy of a standard lease agreement in place for the duration of the lease term of all extant residents that indicates that individual dwelling units on the property may be operated as vacation rentals, if an such residents exist.
  - (6) The applicant shall maintain an exterior security camera facing the parking area in working condition at all times the property is rented. Recordings shall be stored for 30 days after a stay and be made available to city staff upon request.
  - (7) The applicant shall use remote entry for all guests and shall change the access code between stays.
  - (8) Interior decibel meters shall be installed in the property's main congregation rooms.
  - (9) The designated emergency contact person must be able to appear on site within 20 minutes to address reported violations or complaints.
  - (10) Trash receptacles shall be concealed with an opaque enclosure at least four (4) feet heigh and located alongside the building.
  - (11) A buffer yard shall be installed between the parking area and the 15th Bay Street right of way, planted with at least two Coast Live Oaks or Loblolly Pines and eight Inkberry Holly, as shown on the site plan marked as "Exhibit A."
  - (12) The existing driveway apron shall be replaced to minimize ponding.
  - (13) All mechanical and electrical equipment shall be located at least 16" above the highest adjacent grade.
- (c) No fewer than seven (7) off-street parking spaces shall be provided.
- (d) The property owner shall ensure that the site is always free of debris and trash and shall hire a private solid waste removal service to promptly remove trash generated by guests during short-term rental stays and never more than 36 hours after the last guest has checked out.

- (e) The operator shall make the property available for inspection upon reasonable advance notice given to the named emergency contact person by any law enforcement officer at any time between 7:00 a.m. and 11:00 p.m., seven days a week.
- (f) The operator shall maintain records of all stays, including names of each guest, dates of stays, and lengths of stays for each short-term rental of the property.
- (g) Each unit must be rented by only one party at a time. No more than 12 bedrooms shall be made available for guests and no more than 24 sleeping guests are permitted to stay on the property at any one time.
- (h) The operator shall not allow boarders.
- (i) The operator and owner shall remain current on all transient occupancy taxes, business personal property taxes, and other local taxes which may become due while each property is being offered for short-term rentals.
- (j) There shall be no parking on any unimproved surface.
- (k) This Conditional Use Permit shall automatically expire two (2) years from the effective date of this ordinance. Prior to the expiration date, but no sooner than 18 months from the effective date of this ordinance, the property owner or manager may begin the application process for a new conditional use permit.

**Supporting Material:**

- Ordinance Exhibit A (PDF)
- Conditional Use Permit Review Standards (PDF)
- Overview Map(PDF)
- Location Map (PDF)
- Zoning Map (PDF)
- STR Map (PDF)
- Application (PDF)
- Property Owners\_300ft (PDF)
- Email to East Ocean View Civic League (PDF)
- Ltr of concern frm Mr. Babcock (PDF)

Form and Correctness Approved: *BAP*

Contents Approved:


By: \_\_\_\_\_  
Office of the City Attorney

By: \_\_\_\_\_  
DEPT. Planning

NORFOLK, VIRGINIA

## Ordinance No.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO  
AUTHORIZE SHORT-TERM RENTAL UNITS (VACATION RENTAL) ON  
PROPERTY LOCATED AT 9608 15<sup>TH</sup> BAY STREET.

- - -

Section 1:- That a conditional use permit is hereby granted authorizing the operation of Short-term Rental Units (Vacation Rental) in a multi-family dwelling unit located at 9608 15<sup>th</sup> Bay Street.

Section 2:- That the full extent of the property or properties where the permit or permits described above are hereby made effective, upon the date set forth below, is described as follows:

Property fronts 50 feet, more or less, along the eastern side of 15<sup>th</sup> Bay Street beginning 100 feet, more or less, from the northern line of Pleasant Avenue and extending northwardly; premises numbered 9608 15<sup>th</sup> Bay Street.

Section 3:- That the conditional use permit or permits granted herein shall be subject to all of the general conditions set forth in section 2.4.8.D of the Norfolk Zoning Ordinance and all of the following additional conditions, requirements, and limitations:

- (a) The operation of the principal use of Short-Term Rental Units (Vacation Rental) must be conducted in accordance with the applicable performance standards that are set forth in section 4.2 of the Norfolk Zoning Ordinance.
- (b) No use of the property as Short-Term Rental Units (Vacation Rental) shall be permitted until a business license has been issued for the property. No business license shall be issued



until all of the following information and documentation has been provided to the City for the subject property and the following improvements are fully implemented on the site:

- (1) The name and phone number of a person able to be on site within 20 minutes to be contacted at any time to address emergencies or complaints about activity at the property.
- (2) Proof that a fire inspection of the property has been completed and any recommended safety improvements or restrictions have been implemented for all units.
- (3) Inspection of the property by the City in order to verify any aspect of the application for this Conditional Use Permit.
- (4) Proof of liability insurance covering accidental injury to a guest on the property up to a maximum cost not less than \$300,000.
- (5) A copy of a standard lease agreement in place for the duration of the lease term of all extant residents that indicates that individual dwelling units on the property may be operated as vacation rentals, if an such residents exist.
- (6) Interior decibel meters shall be installed in the property's main congregation rooms.
- (7) A buffer yard shall be installed between the parking area and the right of way of 15<sup>th</sup> Bay Street, planted with (i) at least two Coast Live Oaks or Loblolly Pines and (ii) eight Inkberry Holly plants, as shown on the plan attached hereto and marked as "Exhibit A."
- (8) The existing driveway apron shall be replaced in order to reduce the likelihood of ponding water.
- (9) All mechanical and electrical equipment shall be located or relocated to be at least 16" above the highest adjacent grade.

- (c) The property owner shall provide an opaque enclosure at least four (4) feet in height alongside the building to conceal all trash receptacles from the public right-of-way.
- (d) The applicant shall maintain an exterior security camera facing the parking area in working condition at all times the property is rented. Recordings shall be stored for 30 days after a stay and be made available to city staff upon request.
- (e) The applicant shall use remote entry for all guests and shall change the access code between stays.
- (f) No fewer than seven (7) off-street parking spaces shall be provided.
- (g) The property owner shall ensure that the site is always free of debris and trash and shall hire a private solid waste removal service to promptly remove trash generated by guests during short-term rental stays and never more than 36 hours after the last guest has checked out.
- (h) The operator shall make the property available for inspection upon reasonable advance notice given to the named emergency contact person by any law enforcement officer at any time between 7:00 a.m. and 11:00 p.m., seven days a week.
- (i) The operator shall maintain records of all stays, including names of each guest, dates of stays, and lengths of stays for each short-term rental of the property.
- (j) Each unit must be rented by only one party at a time. No more than 12 bedrooms shall be made available for guests and no more than 24 sleeping guests are permitted to stay on the property at any one time.
- (k) The operator shall not allow boarders.
- (l) The operator and owner shall remain current on all transient occupancy taxes, business personal property taxes, and other local taxes which may become due while each property is being offered for short-term rentals.

- (m) The operator shall obtain and maintain a current, active business licenses for the property or properties authorized by this Conditional Use Permit at all times while in operation.
- (n) There shall be no parking on any unimproved surface.
- (o) The operator shall maintain the building and grounds in a safe and serviceable condition at all times. All landscaped areas shall be kept free of litter and debris at all times and the vegetative materials shall be tended in a healthy growing condition and replaced as necessary.
- (p) This Conditional Use Permit shall automatically expire two (2) years from the effective date of this ordinance. Prior to the expiration date, but no sooner than 18 months from the effective date of this ordinance, the property owner or manager may begin the application process for a new conditional use permit.

Section 4:- That the City Council hereby determines that the conditional use permit or permits granted herein comply with each of the standards set forth in section 2.4.8.C of the Norfolk Zoning Ordinance.

Section 5:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:  
Exhibit A (1 page)



### 2.4.8.C. CONDITIONAL USE PERMIT REVIEW STANDARDS

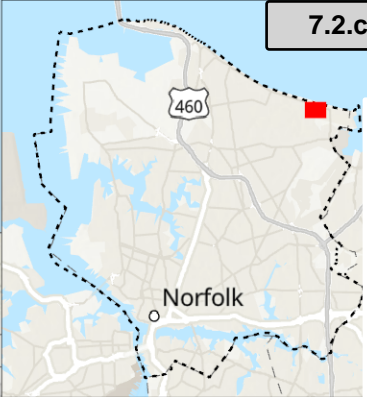
A Conditional Use Permit may be approved if the applicant demonstrates that the proposed conditional use:

- 1) Is consistent with the purposes, goals and policies of the comprehensive plan and other applicable city-adopted plans;
- 2) Complies with all applicable zoning district-specific standards in Article 3. Zoning Districts;
- 3) Complies with all applicable use-specific standards in Article 4. Performance Standards;
- 4) Complies with all applicable development and design standards in Article 5. Development Standards;
- 5) Complies with all relevant subdivision and infrastructure standards in Chapter 42.5 of City Code;
- 6) Is appropriate for its location and is compatible with the general character of surrounding lands and the types, scale, and intensity of uses allowed in the zoning district where proposed;
- 7) Adequately screens, buffers, or otherwise minimizes adverse visual impacts on adjacent lands;
- 8) Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, night-time activity, and other site elements;
- 9) Avoids significant deterioration of water and air resources, scenic resources, and other natural resources;
- 10) Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
- 11) Is served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- 12) Maintains adequate parking, loading and other necessary facilities to serve the proposed use;
- 13) Will not substantially diminish or impair the value of the land within the neighborhood in which it is located.
- 14) Will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various Conditional Use Permits of all types on the immediate neighborhood and the effect of the proposed type of Conditional Use Permit on the city as a whole;
- 15) Complies with all other relevant city, state and federal laws and standards; and
- 16) Is required by the public necessity, convenience, general welfare, or good zoning practice.



# Overview Map

7.2.c



Attachment: Overview Map (Conditional Use Permit - Richmond Wholesale Deals, LLC)



RICHMOND WHOLESALE DEALS, LLC

## Legend

Parcels

0 125 250 500 Feet





## Location Map

### 7.2.d



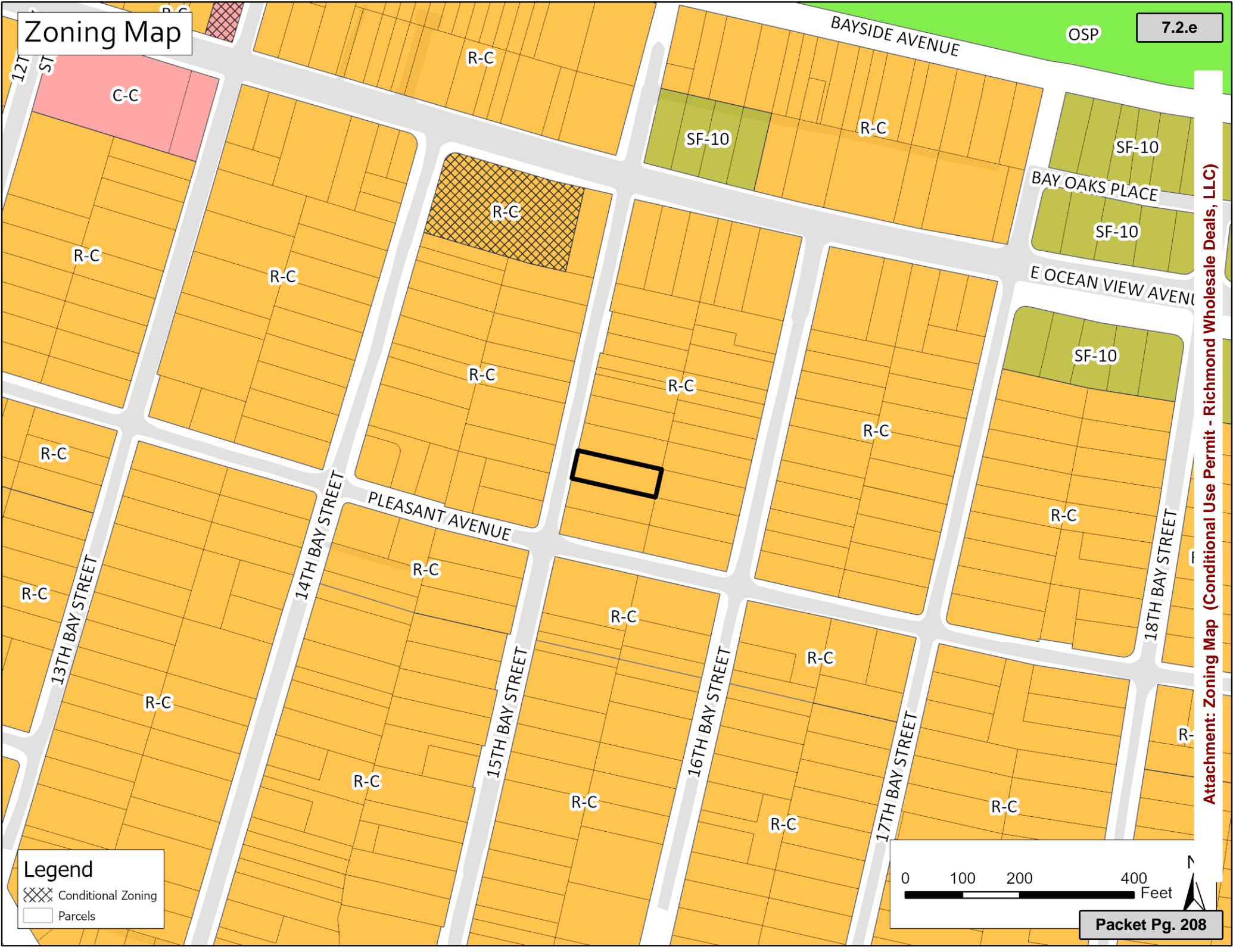
**Attachment: Location Map (Conditional Use Permit - Richmond Wholesale Deals, LLC)**

Packet Pg. 207



# Zoning Map

7.2.e



**Legend**

- Conditional Zoning
- Parcels

0 100 200 400 Feet

Packet Pg. 208

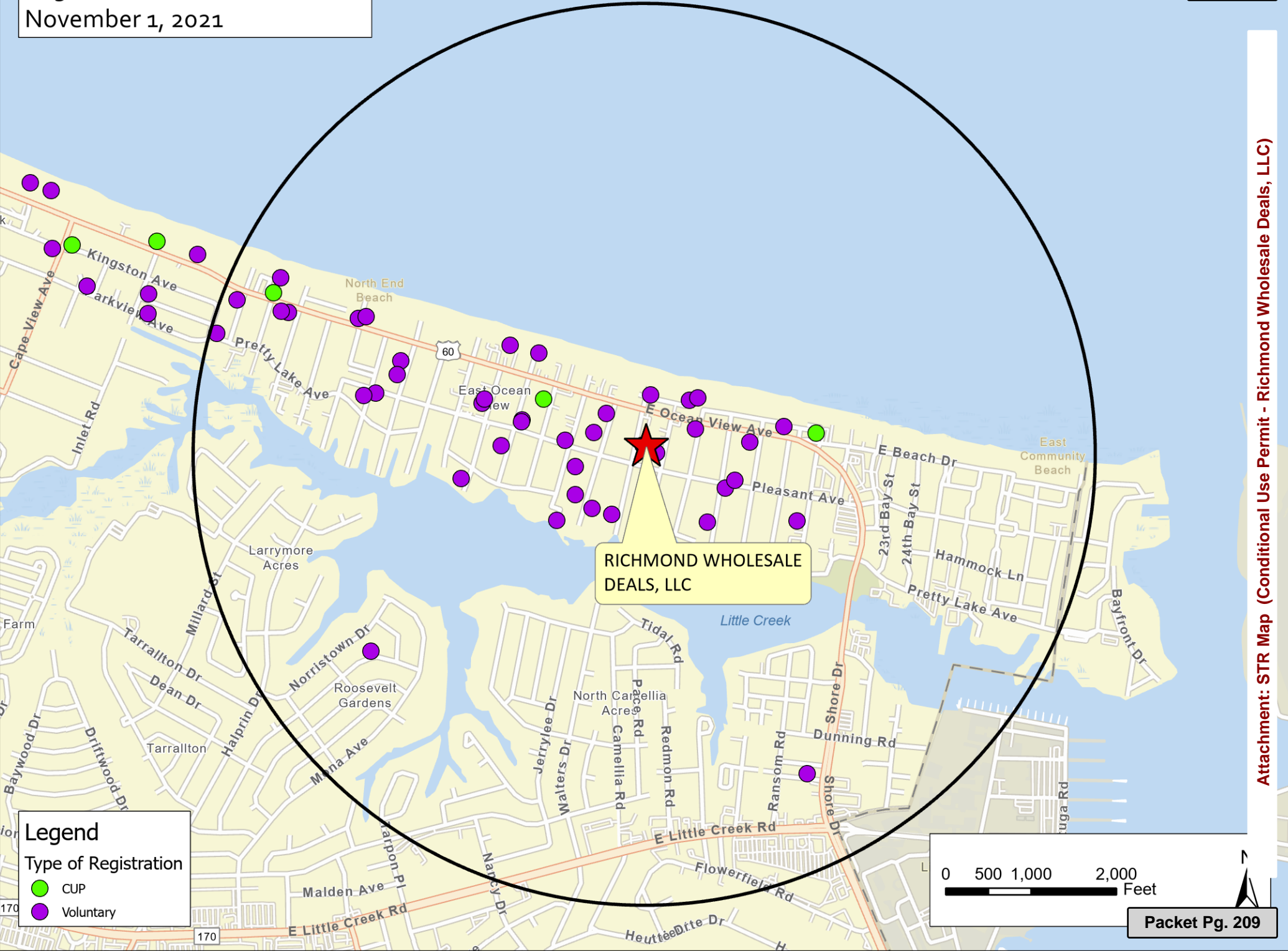
Attachment: Zoning Map (Conditional Use Permit - Richmond Wholesale Deals, LLC)

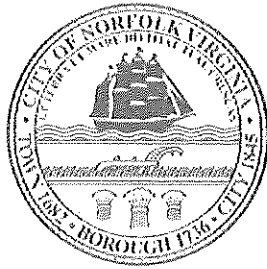


Registered Short Term Rentals  
November 1, 2021

7.2.f

1 mile buffer





**APPLICATION  
CONDITIONAL USE PERMIT  
Short Term Rental  
(Please print)**

Date OCTOBER 23 2021

**DESCRIPTION OF PROPERTY**

Address: 9608 15<sup>TH</sup> BAY STREET NORFOLK VA 23518

Single Family Home or Multi-Family Building: MULTI FAMILY

Proposed Use: SHORT TERM RENTAL

Number of Dwelling Units: 6 Total Number of Bedrooms/Bedrooms per Unit: 2

Zoning: R-C COASTAL RESILIENCE OVERLAY

Trade Name of Business (if applicable): \_\_\_\_\_

**APPLICANT\***

1. Name of applicant: (Last) RICHMOND WHOLESALE DEALS LLC  
TODD MILLER (First) \_\_\_\_\_ (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): 3429 W CARLY ST

(City): RICHMOND (State): VA (Zip Code): 23221

Daytime telephone number of applicant: ( ) 804-405-0901

E-mail address: TODD@USA-HOMEBUYERS.COM

**AUTHORIZED AGENT\* (if applicable)**

2. Name of applicant: (Last) COPENHAVER (First) CARRIE (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): 603 16<sup>TH</sup> ST

(City): VA BEACH (State): VA (Zip Code): 23451

Daytime telephone number of applicant: ( ) 757-615-1764 Fax ( ) \_\_\_\_\_

E-mail address: CARRIECOPENHAVER@GMAIL.COM

Application  
Conditional Use Permit  
Page 2

**PROPERTY OWNER\***

RICHMOND WHOLESALE DEALS LLC

3. Name of property owner: (Last) TODD MILLER (First) \_\_\_\_\_ (MI) \_\_\_\_\_

Mailing address of property owner (Street/P.O. box): 3429<sup>W</sup> CARY ST

(City): RICHMOND (State): VA (Zip Code): 23221

Daytime telephone number of owner: ( ) 804-405-0901

E-mail address: TODD@USA-HOMEBUYERS.COM

\*(If applicant/agent/property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

**CIVIC LEAGUE - BUSINESS ASSOCIATION - HOA INFORMATION**

Civic League contact: \_\_\_\_\_

Date meeting attended/held: \_\_\_\_\_

Local Business Association (if applicable) contact: OV BUSINESS ASSOCIATION OVBABIZ@GMAIL

Date meeting attended/held: \_\_\_\_\_

Home/Property/Condominium Owners Association (if applicable) contact: \_\_\_\_\_

Date meeting attended/held: \_\_\_\_\_

Ward/Super Ward information: \_\_\_\_\_

**CERTIFICATION**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: RICHMOND WHOLESALE DEALS  
TODD MILLER Sign: Todd Miller 10-25-2021  
(Property Owner) (Date)

Print name: RICHMOND WHOLESALE DEALS  
TODD MILLER Sign: Todd Miller 10-23-2021  
(Applicant) (Date)

(If Applicable)

Print name: CARRIE COPENHAVER Sign: Ca Copen 10-23-2021  
(Authorized Agent Signature) (Date)



### Description of Operations Conditional Use Permit

Date: OCTOBER 23 2021

Trade name of business: RICHMOND WHOLESALE DEALS LLC

Address of business: 3429 W CARLY ST RICHMOND VA 23221

Name(s) of business owner(s)\*: TODD MILLER

Name(s) of property owner(s)\*: RICHMOND WHOLESALE DEALS LLC

Daytime telephone number ( ) 804-465-0901

\*If business or property owner is partnership, all partners must be listed.

\*If business or property owner is an LLC or Corporation, all principals must be listed.

#### Standard Conditions for Short Term Rentals:

1. The property being rented for use as a Short-Term Rental is not be the owner's primary residence.
2. No rental activity may commence until the operator has received a Zoning Permit and a Business License.
3. This permit is valid for two (2) years.
4. The maximum occupancy of all guests is two (2) for each bedroom being provided.
5. Must provide off-street, paved parking spaces for guests. Parking on unimproved surfaces or City property is prohibited.
6. You are responsible for reporting and paying local transient occupancy and room taxes via your Business License. Business Licenses are renewed annually through the Commissioner of the Revenue.
7. If you are found to be non-compliant with one or more of the items necessary for registration, the following penalties apply:
  - a. First Instance: The City will issue a written notice warning of the violation, requiring corrective action within 14 days. If uncorrected at the end of this period, the violation will constitute a second instance of noncompliance.
  - b. For the second instance during any two-year period, your property will be suspended from the City STR Registry for four (4) months, during which time your property shall be considered unregistered.

#### DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2018)

- c. For the third instance during any two-year period, the property shall be removed from the City STR Registry and shall be ineligible to be re-registered or otherwise authorized for use as a short-term rental unit for one (1) year.
- 8. Nothing in this permit shall be construed to supersede or limit contracts or agreements between or among individuals or private entities related to the use of real property, including recorded declarations and covenants, the provisions of condominium instruments of a condominium created pursuant to the Condominium Act (Va. Code § 55-79.39 et seq.), the declaration of a common interest community as defined in Va. Code § 55-528, the cooperative instruments of a cooperative created pursuant to the Virginia Real Estate Cooperative Act (Va. Code § 55-424 et seq.), or any declaration of a property owners' association created pursuant to the Property Owners' Association Act (Va. Code § 55-508 et seq.).
- 9. The short-term rental unit shall be made available to guests exclusively through the use of one or more online booking platforms that provide, at minimum, listing services throughout all of the United States. If the operator elects to list the property on more than one such platform, then the listing on each platform shall be identical with respect to the type of short-term rental being offered, the number of rooms available, the number of guests that may be hosted, and the areas of the property available to guests.
- 10. The operator shall conspicuously post on the interior of each rental unit and the exterior of the property a sign informing guests and neighbors of the name and phone number of an emergency contact person as well as the phone number of the City's 24-hour call center.



**Signature of Applicant**

**From:** Sarah Wood sarahwoodbigler@gmail.com  
**Subject:** Short term rentals  
**Date:** October 24, 2021 at 10:27 AM  
**To:** carriecopenhaver@gmail.com



To whom it may concern.

The Ocean View Business Association is in support of all short term rentals in Ocean View. We believe that it continues to revitalize the area, brings in tax dollars to benefit the community as a whole & creates the opportunity for new restaurants & businesses to flourish given the increase in consumers.

Thank you,

Sarah Wood Bigler  
Sea Glass Realty by Creed  
President of the Ocean View Business Association  
757-748-1354  
[sarahwoodbigler@gmail.com](mailto:sarahwoodbigler@gmail.com)

Attachment: Application (Conditional Use Permit - Richmond Wholesale Deals, LLC)

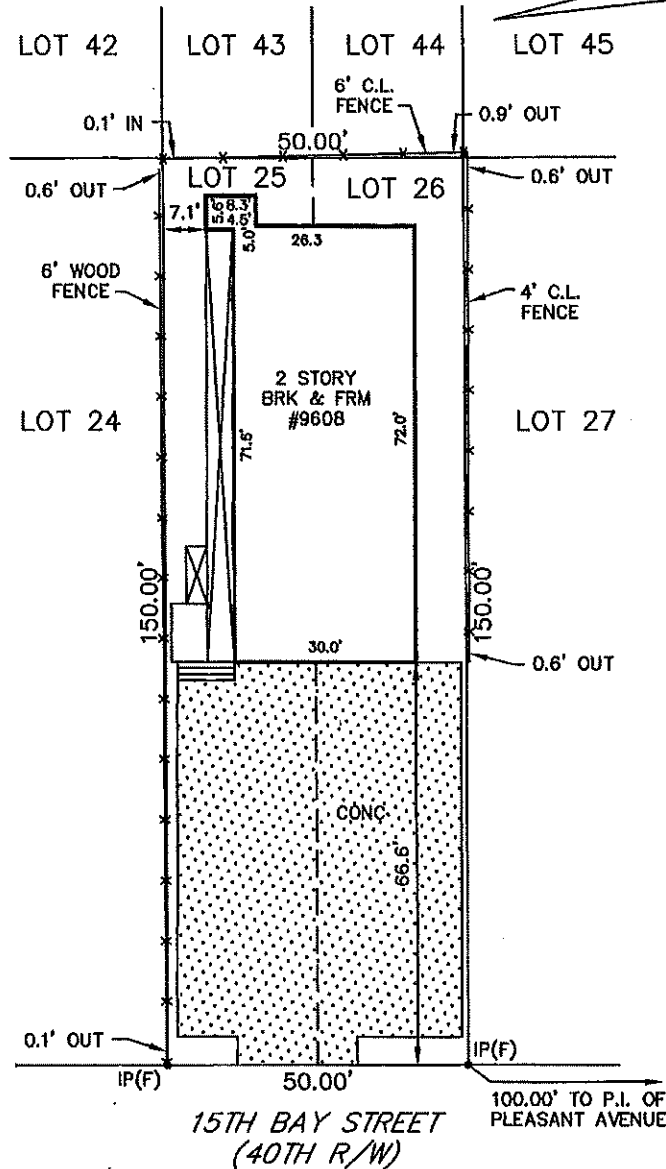


THIS IS TO CERTIFY THAT I, ON AUG. 27, 2021, SURVEYED THE PROPERTY SHOWN HEREON AND THAT THE TITLE LINES AND PHYSICAL IMPROVEMENTS ARE AS SHOWN HEREON. THE IMPROVEMENTS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OF OTHER BUILDINGS EXCEPT AS SHOWN.

SIGNED: *[Signature]*

**NOTES:**

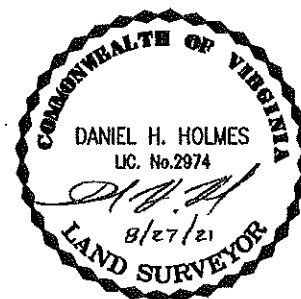
- 1) THE PROPERTY SHOWN HEREON APPEARS TO LIE IN "AE" (7.0) FLOOD ZONE ACCORDING TO F.E.M.A. MAP PANEL NO. 510104-0037H REVISED FEB. 17, 2017.
- 2) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT, AND MAY NOT SHOW ANY/ALL EASEMENTS AFFECTING THE PROPERTY.
- 3) THIS DRAWING IS MADE TO THE ORIGINAL PURCHASER OF THE SURVEY, AND IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.



PHYSICAL SURVEY  
OF  
LOTS 25 & 26, BLOCK 11  
EAST OCEAN VIEW  
PLAT A, SECTION NO. 2  
NORFOLK, VIRGINIA  
FOR  
RICHMOND WHOLESALE  
DEALS, LLC

DATE: AUG. 27, 2021  
SCALE: 1" = 25'  
NOTE: FOR PLAT SEE  
M.B. 4 PG. 79  
VIRGINIA BEACH, VA

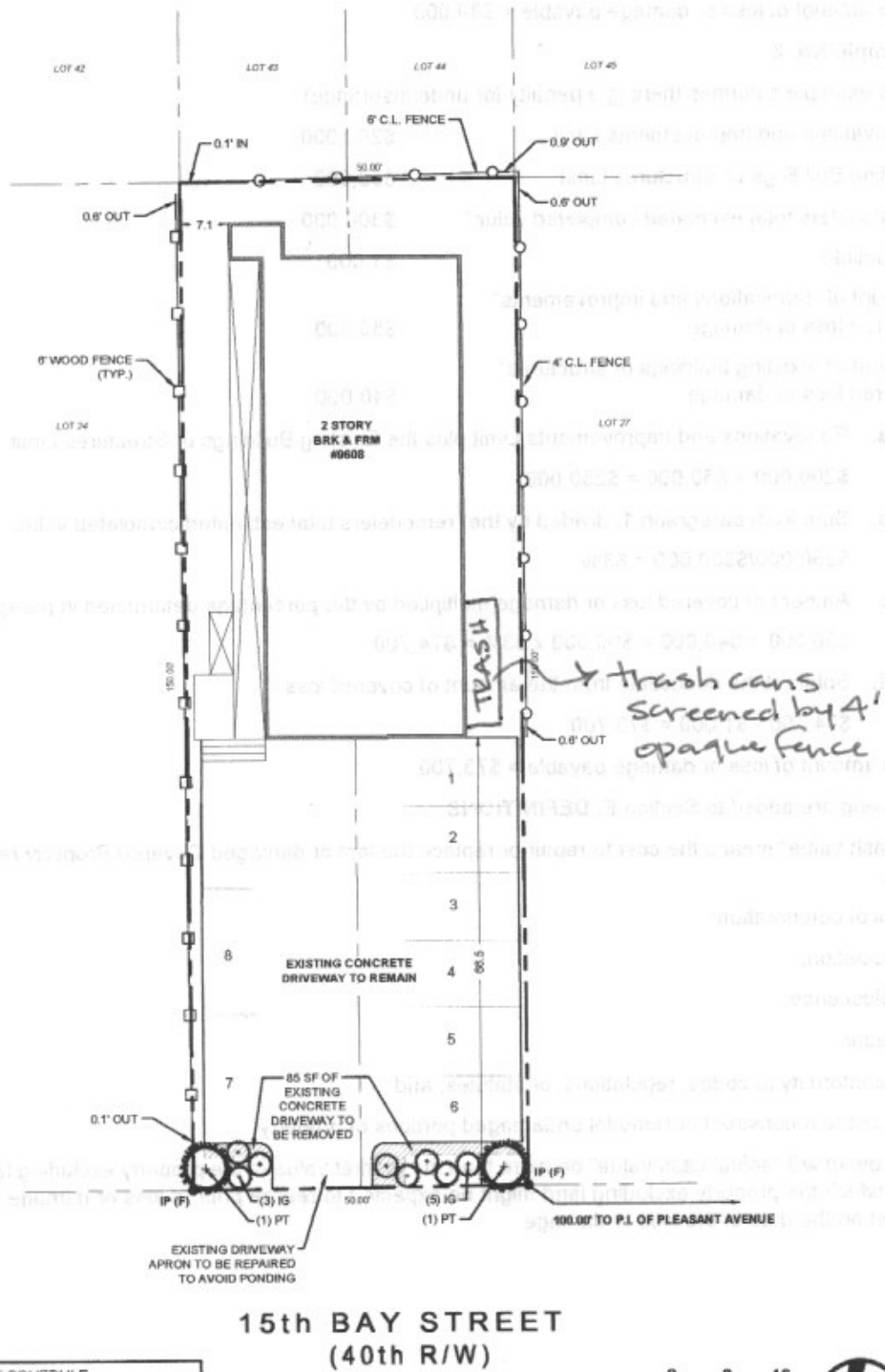
**WARD M. HOLMES**  
**LAND SURVEYOR, P.C.**  
9225 GRANBY STREET  
NORFOLK, VA 23503  
PHONE: 757-480-1230  
FAX: 757-583-7390



DRAWN BY: WTL

PROJECT NO. 21-614

## Exhibit A



PLANT SCHEDULE			
Qty	Symbol	Botanical name	Common name
8	IG	Ilex glabra	Inteberry holly
2	PT	Pinus taeda	Loblolly Pine

0 8 16  
Scale 1"=16'-0"





## Virtual Neighborhood Meeting Minutes

Letters mailed on October 4, 2021

Meeting held October 15, 2021 5pm

People in attendance:      Todd Miller, Owner,  
   Carrie Copenhaver, Authorized Agent  
   Phil, Neighbor  
   Khoi, Neighbor

Todd shared slide presentation. Shared who the company is, own several short term rentals, very stringent guidelines for guests including must have previous reviews etc.

Phil stated he was in support of the proposed conversion.  
Khoi is not in support of proposed conversion.



+1 (803) 832-0040 >

City of Norfolk - VA  
Payment Submitted

-----  
Total: \$1,194.28

Transaction ID:

AYAD4B350B6E

For Details:

[http://mybill.mobi/v/  
sF7VCSED](http://mybill.mobi/v/sF7VCSED)

Reply H for payment history.  
Reply STOP to stop all future  
texts.  
Reply ? for help.

City of Norfolk - VA  
Payment Submitted

-----  
Total: \$1,194.28

Transaction ID:

ARAD7AD2DB9D

For Details:

<http://mybill.mobi/v/JHh6ziiL>



(Text Message)





+1 (803) 832-0040 >

## Payment Submitted

Total: \$38.95

Transaction ID:

ALAD7AB17802

For Details:

<http://mybill.mobi/v/eXmtMAbr>

Reply H for payment history.  
Reply STOP to stop all future  
texts.

Reply ? for help.

City of Norfolk - VA  
Payment Submitted

Total: \$50.99

Transaction ID:

AFAD4B37BB4C

For Details:

<http://mybill.mobi/v/n3xHB8Fd>



(Text Message)



Lattus, Gene M & Katie  
9620 16th Bay St Unit A  
Norfolk VA 23518-1412

Fernandez, Richard A  
9620 16th Bay St Unit B  
Norfolk VA 23518-1412

Fick, Thomas  
9606 16th Bay St  
Norfolk VA 23518-1412

Myszak, Jered D  
9604 16th Bay St  
Norfolk VA 23518-1412

Nguyen, Thuy D & Tien C  
9615 16th Bay St  
Norfolk VA 23518-1462

Picka, Cenek  
3414 Pleasant Ave  
Norfolk VA 23518-1432

Zinis, Gregory  
3424 Pleasant Ave  
Norfolk VA 23518-1432

Burns, James D  
9601 15th Bay St  
Norfolk VA 23518-1432

Sandoval, Valerie B Revocable Trust  
5160 Stratford Chase Dr  
Virginia Beach VA 23464-5536

Partin, Matthew Bennett  
9625 15th Bay St  
Norfolk VA 23518-1407

Huovinen, Mathieu W  
9614 16th Bay St  
Norfolk VA 23518-1412

Smith Joint Revocable Trust  
9610 16th Bay St  
Norfolk VA 23518-1412

Smalls, William J & Veronica T Rev Living  
Trust  
9600 16th Bay St  
Norfolk VA 23518-1412

Caldwell, Elizabeth P  
2214 Rockbridge Rd  
Virginia Beach VA 23455-1702

Belo, Langford L  
9604 15th Bay St  
Norfolk VA 23518-1408

Linder, Andrew D Et Al  
9607 16th Bay St  
Norfolk VA 23518-1411

Taylor, Andrew & Blair  
9609 16th Bay St  
Norfolk VA 23518-1411

3515 Pleasant Ave, Llc  
251 Granby St  
Norfolk VA 23510

3516 Pleasant Ave Llc  
251 Granby Street  
Norfolk VA 23510

Midatlantic Ira, Llc  
118 West Church St  
Frederick MD 21701-5411

Grover, Nathaniel B  
9624 15th Bay St  
Norfolk VA 23518-1408

Grover, Nathaniel B  
9624 15th Bay St  
Norfolk VA 23518-1408

L & M Property Management, Llc  
3419 Virginia Beach Blvd Ste 148  
Virginia Beach VA 23452-4419

Baymasters Properties Llc  
5600 Coliss Ave  
Virginia Beach VA 23462-1704

3510 Pleasant Ave Llc  
251 Granby Street  
Norfolk VA 23510

Scott, Jeffrey & Nicole Marie  
3509 Pleasant Ave Unit 101  
Norfolk VA 23518-1488

Leyva-Williams, Amber  
3509 Pleasant Ave Unit 201  
Norfolk VA 23518-1488

Bellomy, Miranda A  
3509 Pleasant Ave Unit 301  
Norfolk VA 23518-1483

Rodriguez, Alan A  
3509 Pleasant Ave Unit 102  
Norfolk VA 23518-1488

Lewis, Lisa Irene  
3509 Pleasant Ave Unit 202  
Norfolk VA 23518-1488

Tao, Zhijian  
3509 Pleasant Ave Unit 302  
Norfolk VA 23518-1483

Lewis, Rebeka  
3509 Pleasant Ave Unit 103  
Norfolk VA 23518-1488

Whitaker, Ronald Wayne  
3509 Pleasant Ave Unit 203  
Norfolk VA 23518-1488

Callaway, Deterris & Deterrion  
3509 Pleasant Ave Unit 303  
Norfolk VA 23518-1483

Zawoloka, Alex & Stacy  
3816 Old Shell Rd  
Virginia Beach VA 23452-4723

Capron, Philip A  
9629 16th Bay St # A  
Norfolk VA 23518

Murphy, Shannon Patricia  
9629 16th Bay Street, Unit B  
Norfolk VA 23518

Norfolk Bay, Llc  
670 Kenwick Cir Apt 105  
Casselberry FL 32707-4287

Dodge, Jacob E  
9617 15th Bay St  
Norfolk VA 23518

Ricks, Robert & Victoria  
9621 15th Bay Street  
Norfolk VA 23518

Samaha, Brody P & Jordan A  
9610 14th Bay St  
Norfolk VA 23518-1452

Jabez Enterprises, Llc  
Po Box 14069  
Norfolk VA 23518-0069

Russell, Robert T Et Al  
9614 15th Bay St  
Norfolk VA 23518-1408

9567 16th Bay St, Llc  
251 Granby St  
Norfolk VA 23510

Wheeler, Timothy Macdonald  
9625 16th Bay St  
Norfolk VA 23518-1411

Wilson, Jesse T  
9625 16th Bay St  
Norfolk VA 23518-1411

Wilson, Jesse T  
9625 16th Bay St  
Norfolk VA 23518-1411

Wilson, Jesse T  
9625 16th Bay St  
Norfolk VA 23518-1411

Jones, James T & Kelsey P  
9614 14th Bay St  
Norfolk VA 23518-1404

Liosatos, Nicholas L & Beverly L  
9605 15th Bay St  
Norfolk VA 23518-1407

Thagard, Robert L Jr  
9629 15th Bay St  
Norfolk VA 23518-1407

Richmond Wholesale Deals, Llc  
3420 Pump Rd Box 307  
Henrico VA 23233

Rieke, David D & Teresa J  
504 Baden Ave  
Virginia Beach VA 23464-2312

Moranha, Michael J  
3415 Pleasant Ave  
Norfolk VA 23518-1431

Ferguson, Jason  
9630 15th Bay St  
Norfolk VA 23518-1408

Clarke, Annie M  
9626 15th Bay St  
Norfolk VA 23518-1408

Williams, Sherri

---

From: Williams, Sherri  
 Sent: Wednesday, October 27, 2021 1:00 PM  
 To: Smigiel, Thomas; Ortiz, Reynald; McClellan, Andria; eovcl.president@gmail.com  
 Cc: Kirch-Kelling, Joy M  
 Subject: New Planning Commission Items- 9608 15th bay Street  
 Attachments: Application.pdf

Attached please find the following information tentatively scheduled to be heard at the December 18, 2021 Planning Commission public hearing:

**RICHMOND WHOLESALE DEALS, LLC** for a Conditional Use Permit to operate a Short-Term Rental Unit (Vacation Rental) at 9608 15<sup>th</sup> Bay Street.

The purpose of this request is to allow the existing apartment complex to operate as Short-Term Rental Units.

*Staff contact: Joy Kirch-Kelling at (757) 664-4756, [joy.kirch-kelling@norfolk.gov](mailto:joy.kirch-kelling@norfolk.gov)*

Thank You

Sherri Williams  
 City Planner I – City Clerk



Planning Department  
 810 Union Street | Suite 508  
 Norfolk, VA 23510  
 (757) 664-6771 office | (757) 618-5720 cell

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Attachment: Email to East Ocean View Civic League (Conditional Use Permit - Richmond Wholesale Deals, LLC)

**Kirch-Kelling, Joy M**

**From:** Christopher Babcock <cbabcock1@gmail.com>  
**Sent:** Thursday, January 27, 2022 12:04 PM  
**To:** Kirch-Kelling, Joy M  
**Cc:** Ashley  
**Subject:** Re: 9627 14th Bay St STR  
**Attachments:** Miller Response.pdf; Text.JPG; Notice.JPG

\*\*\* This is an EXTERNAL email. Please exercise caution. \*\*\*

Joy,

Understand there is a meeting today, one of the topics is regarding short-term rental applications. My wife attended the last virtual meeting where Todd Miller had his application up for approval for 9627 14th Bay St and 9608 15th Bay St. One of the 15th Bay neighbors spoke last time about his reluctance for a short-term rental on 15th Bay, as the property has been a haven for illegal activities and is in disrepair. There are similar problems with our neighbors on 14th Bay.

We understand Mr. Miller has purchased the properties and has investment plans to run short-term rentals out of them. We are not strictly opposed to this but do have concerns with the properties' renovation attention, upkeep over time, and owner reachability if there is an issue.

Mr. Miller hosted a neighborhood meeting on October 15, 2021, at 10 am regarding this plan. We received the notice of the meeting in the mail either the same day or the following day, making it impossible to attend the meeting that had already taken place. The notice, attached, displays a dash for every place a "ti" should have been used and seems unprofessional. Mr. Miller left his contact number. After receiving the notice, I called Mr. Miller twice over the next two weeks and left a voicemail with at least one of my calls. I then sent him a text that I was trying to reach him, which he read, but also did not respond to (see attached). I finally was able to reach him by reaching out to the Norfolk city planning office which compelled him to follow up. He was "able to squeeze me in" during his busy weekend for a quick 5-minute chat.

We understand that the properties in question are not in good states currently. But, given the unprofessional nature of the notice, presentation during the previous meeting, and the high effort it took to get a response from the owner, we are concerned that the promised renovation and subsequent management from afar in Richmond will not lead to a property that adds value to the neighborhood or will not be much of a change over the status quo. We are unable to attend the meeting today, but we would appreciate it if you could please voice our concerns or at least take our considerations into account. Good luck to everyone in their applications.

Best,  
 Chris & Ashley

On Fri, Dec 10, 2021 at 8:04 PM Christopher Babcock <[cbabcock1@gmail.com](mailto:cbabcock1@gmail.com)> wrote:  
 Thanks, Joy for following up. I believe my wife, Ashley, will attend.

Have a good weekend,

Chris

On Fri, Dec 10, 2021 at 3:55 PM Kirch-Kelling, Joy M <[Joy.Kirch-Kelling@norfolk.gov](mailto:Joy.Kirch-Kelling@norfolk.gov)> wrote:

Attachment: Ltr of concern frm Mr. Babcock (Conditional Use Permit - Richmond Wholesale Deals, LLC)

Good I'm glad to hear that.

Just a reminder the public hearing is next week Thursday;

[https://norfolkcityva.igmp2.com/Citizens/Detail\\_Meeting.aspx?ID=1923](https://norfolkcityva.igmp2.com/Citizens/Detail_Meeting.aspx?ID=1923)

Joy Kelling

Planner I



Planning Department

810 Union Street | Suite 508

Norfolk, VA 23510

(757) 664-4756

Connect with us:

[www.norfolk.gov](http://www.norfolk.gov)



---

**From:** Christopher Babcock <[cbabcock1@gmail.com](mailto:cbabcock1@gmail.com)>  
**Sent:** Thursday, December 9, 2021 2:14 PM  
**To:** Kirch-Kelling, Joy M <[Joy.Kirch-Kelling@norfolk.gov](mailto:Joy.Kirch-Kelling@norfolk.gov)>  
**Cc:** [carriecopenhaver@gmail.com](mailto:carriecopenhaver@gmail.com)  
**Subject:** Re: 9627 14th Bay St STR

\*\*\* This is an EXTERNAL email. Please exercise caution. \*\*\*

---

Attachment: Ltr of concern frm Mr. Babcock (Conditional Use Permit - Richmond Wholesale Deals, LLC)



Joy,

Thanks for your follow-up.

Todd contacted me this past weekend. He addressed my two biggest concerns - 1 that the property be renovated so not rented cheaply to parties 2 the lot had the required parking per Norfolk's guidelines.

Best,

Chris

On Wed, Dec 8, 2021 at 11:19 AM Kirch-Kelling, Joy M <[Joy.Kirch-Kelling@norfolk.gov](mailto:Joy.Kirch-Kelling@norfolk.gov)> wrote:

Mr. Babcock,

I wanted to give it some more time before I followed up. Did you ever hear back from either the applicant or the agent?

Sincerely

Joy Kelling

Planner I



Planning Department

810 Union Street | Suite 508

Norfolk, VA 23510

(757) 664-4756

Connect with us:

[www.norfolk.gov](http://www.norfolk.gov)



**From:** Christopher Babcock <[cbabcock1@gmail.com](mailto:cbabcock1@gmail.com)>  
**Sent:** Thursday, December 2, 2021 11:14 AM  
**To:** Kirch-Kelling, Joy M <[Joy.Kirch-Kelling@norfolk.gov](mailto:Joy.Kirch-Kelling@norfolk.gov)>  
**Cc:** [carriecopenhaver@gmail.com](mailto:carriecopenhaver@gmail.com)  
**Subject:** Re: 9627 14th Bay St STR

\*\*\* This is an EXTERNAL email. Please exercise caution. \*\*\*

Joy,

Thanks for the info. I still have not heard anything from Todd or Carrie. The meeting I was referencing was the neighborhood meeting on October 15th. I am going to try to attend the zoom meeting on December 16, but I am in a graduate program with a final that day and another one the next day, so I may be unable.

I appreciate the packet. The parking plan, assuming the lines get painted to ensure max occupancy in the lot looks good - I understand with the 6 x 2-bedroom units requires 6 parking spots per Norfolk vacation rental regulations and this property would have 9 spots as presented. The current setup with long-term renters with 6 2-bedroom apartments has sometimes caused an overflow out of the lot, but maybe the str will usually have fewer vehicles. Besides parking, my other concern would be if the units would be rented as they are without any updates. This is due to the units being very low income, which would rent for a low amount per unit, enticing gatherings like parties, spring-breakers, etc overloading the units for beach getaway parties. Renovation and pricing the units higher per night will deter this partying and loud/disruptive behavior for the neighbors. I'm happy that the company says they have strict consideration for their guests - that is promising.

Thank you.

Best,

Chris

513.833.5564

Attachment: Ltr of concern from Mr. Babcock (Conditional Use Permit - Richmond Wholesale Deals, LLC)

On Mon, Nov 29, 2021 at 1:09 PM Kirch-Kelling, Joy M <[Joy.Kirch-Kelling@norfolk.gov](mailto:Joy.Kirch-Kelling@norfolk.gov)> wrote:

Mr. Babcock,

First let me say that I am troubled to hear that Mr. Miller has not responded to your emails or calls.

I'm copying his authorized agent Ms. Copenhaver who I'm sure will be happy to email you and address any questions/concerns you may have. Do let me know if she or Mr. Miller have not reached out to you by the end of the week.

Second, I'm not entirely sure which meeting you are referring to. Are you referring to the neighborhood meeting that the applicant hosted or the City's public hearing?

The applicant did host a neighborhood meeting on October 15, at 5pm, according to his application packet. You can find his meeting minutes on the last page of the attached PDF. Also included in the packet ( 7th page ) is the proposed parking plan- I know you had questions about that too.

There will also be the Planning Commission hearing open to the public on December 16th at 2:30 pm. Provided below is a link to the virtual meeting, which I encourage you to attend if you can.

[https://norfolkcityva.igmp2.com/Citizens/Detail\\_Meeting.aspx?ID=1923](https://norfolkcityva.igmp2.com/Citizens/Detail_Meeting.aspx?ID=1923)

Did I adequately address your questions? Was there anything else I can assist you with?

Sincerely,

Joy Kelling

Planner I



Planning Department

810 Union Street | Suite 508

Norfolk, VA 23510

(757) 664-4756

Attachment: Ltr of concern from Mr. Babcock (Conditional Use Permit - Richmond Wholesale Deals, LLC)

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**From:** Christopher Babcock <[cbabcock1@gmail.com](mailto:cbabcock1@gmail.com)>  
**Sent:** Wednesday, November 24, 2021 12:38 AM  
**To:** Kirch-Kelling, Joy M <[Joy.Kirch-Kelling@norfolk.gov](mailto:Joy.Kirch-Kelling@norfolk.gov)>  
**Subject:** Fwd: 9627 14th Bay St STR

\*\*\* This is an EXTERNAL email. Please exercise caution. \*\*\*

---

Joy,

I received your contact from Austin Peters and wanted to inquire qabout a notice in the mail regarding a virtual neighborhood meeting on zoom for a pending application for short-term rental for 9627 14th Bay Street. I was hoping to attend the meeting as the property is only 2 houses from my own, but the meeting was at 10am on a weekday and the mailing was received after the meeting had taken place. I have reached out to the meeting organizer, Todd Miller, multiple times over the past month through voicemail and texts but haven't been followed up with. Is there a forum to hear the concerns of other neighbors? I wanted to hear what other neighbors thought regarding turning the multi-family unit into a STR. I was curious as to the parking plan as the lot is usually full and sometimes people park in my yard. Appreciate your help and happy thanksgiving!

Best,

Chris Babcock

Attachment: Ltr of concern frm Mr. Babcock (Conditional Use Permit - Richmond Wholesale Deals, LLC)